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P.O. BOX 506, Merrifield, VA 22116, U.S.A.

Voice Mail: 302-729-1562

FAX: 806-498-6673

e-mail: winstonhsu@naipo.com

Customer No.: 27765

Fax To: EDUN, MUHAMMAD N Tel.: (571) 272-7617

Art Unit: 2627 Fax: (571) 273-8300

From : Winston Hsu, Registration No. 41,526

Serial No.: 10/709,032

Attorney Docket No.: VOSP0010USA

**Subject: Response to the Notice of Non-compliant Information
Disclosure Statement.**

Total Pages: 6 pages (including cover page)

Winston Hsu 10/09/2006

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PTO/SB/21 (07-08)
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| | | |
|---|------------------------|------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/709,032 |
| | Filing Date | 04/08/2004 |
| | First Named Inventor | Yuan-Kun Hsiao |
| | Art Unit | 2627 |
| | Examiner Name | EDUN, MUHAMMAD N |
| | Attorney Docket Number | VOSP0010USA |
| Total Number of Pages in This Submission | | 5 |

| ENCLOSURES (Check all that apply) | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): -Response to Notice of Non-compliant Information Disclosure Statement -A copy of the Notice of Non-compliant Information Disclosure Statement |
| <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | Remarks _____ | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
|--|---|----------------|
| Firm Name | North America Intellectual Property Corporation | |
| Signature | <i>Winston Hsu</i> | |
| Printed name | WINSTON HSU | |
| Date | 10/9/2006 | Reg. No. 41526 |

| CERTIFICATE OF TRANSMISSION/MAILING | | |
|---|-------------------|----------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: | | |
| Signature | <i>Sheryl Lee</i> | |
| Typed or printed name | Sheryl Lee | Date 10/9/2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Applicants: Yuan-Kun Hsiao

5 Examiner: EDUN, MUHAMMAD N

Filing Date: 04/08/2004 Art Unit: 2627

App. No.: 10/709,032 Docket No.: VOSP0010USA

10 Title: Method And Related Apparatus For Evaluating Beta-Parameter
According To Results of Read Data Sliced With Different Slicing
Levels While Performing Optimal Power Control Of Optical Disk
Drive

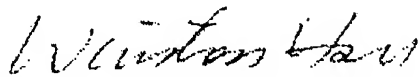
15 To: Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

20 Subject: Response to the Notice of Non-compliant Information Disclosure
Statement dated on 9/13/2006

Dear Sir,

25 The Notice of Non-compliant Information Disclosure Statement says that the
Information Disclosure Statement filed by the applicant on 9/5/2006 failed to meet the
requirements of 37 CFR 1.97(d). It says that the IDS lacks a statement as specified in
37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p). However, the prior-filed IDS
showed on Image File Wrapper dated 9/5/2006 indicates that the required statement
and IDS fee were enclosed with. The applicant therefore respectfully requests the
30 Office to reconsider the IDS filed on 9/5/2006 and deduct the said fee from the
Deposit account 50-3105. Thank you!

Respectfully submitted,



Date: 10/9/2006

5 Winston Hsu, Patent Agent No. 41,526
P.O. BOX 506, Merrifield, VA 22116, U.S.A.
Voice Mail: 302-729-1562
Facsimile: 806-498-6673
e-mail : winstonhsu@naipo.com

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United States Patent and Trademark Office
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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/709,032 | 04/08/2004 | Yuan-Kun Hsiao | VOSP0010USA | 3031 |
| 27745 | 7590 | 09/13/2006 | EXAMINER | |
| NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116 | | | EDUN, MUHAMMAD N | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3627 | |

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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| | | | |
|---------------------------------------|-------------|---|---------------------|
| APPLICATION NO. CONTROL NO. 107032 | FILING DATE | FIRST NAMED INVENTOR PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------------|-------------|---|---------------------|

| | | |
|--|----------|-------|
| | EXAMINER | |
| | | |
| | ART UNIT | PAPER |
| | | |

DATE MAILED:

NOTICE OF NON-COMPLIANT INFORMATION DISCLOSURE STATEMENT

An Information Disclosure Statement (IDS) filed _____ in the above-identified application fails to meet the requirements of 37 CFR 1.97(d) for the reason(s) specified below. Accordingly, the IDS will be placed in the file, but the information referred to therein has not been considered.

The IDS is not compliant with 37 CFR 1.97(d) because:

- ☒ The IDS lacks a statement as specified in 37 CFR 1.97(e).
- ☒ The IDS lacks the fee set forth in 37 CFR 1.17(p).
- ☐ The IDS was filed after the issue fee was paid. Applicant may wish to consider filing a petition to withdraw the application from issue under 37 CFR 1.313(e) to have the IDS considered. See MPEP 1308.

Time
initials

PTO-KX (02-06)

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